

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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TAMAS JONAS,

Plaintiffs,

-against-

NOBLE CONSTRUCTION GROUP, LLC, BLDG 44  
DEVELOPERS LLC and BLDG 44 LLC, SUFFOLK  
CONSTRUCTION COMPANY INC. and  
NOBLE/SUFFOLK, A JOINT VENTURE, LLC,

Defendants.

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NOBLE CONSTRUCTION GROUP, LLC, SUFFOLK  
CONSTRUCTION COMPANY INC. and  
NOBLE/SUFFOLK, A JOINT VENTURE, LLC

Third-Party Plaintiffs,

-against-

WINDOWS FASHIONS, LLC d/b/a/BEACON  
INTERIORS,

Third-Party Defendant.  
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**PLEASE TAKE NOTICE** that the defendant(s), ERIKA SZENTE CUSTOM WINDOW TREATMENT LLC i/s/h/a WINDOWS FASHIONS, LLC d/b/a/BEACON INTERIORS, by their attorneys, THE LAW OFFICE OF JAMES J. TOOMEY, as and for its Initial Disclosures pursuant to FRCP Rule 26, sets forth the following upon information and belief:

1. *Persons with Discoverable Information that may use to Support its Claims or Defenses.*

Defendant is aware of the following individual(s) with knowledge of the accident and operation of the vehicle:

1. Everyone who is a party to the lawsuit and represented by counsel, including officers and employees of the named companies.
2. Engles Vitiello

Index No.: 19-CV-5574 (AT)

**DISCLOSURE STATEMENT**  
**RULE 26**

3. Adam Szabo

Defendant is presently unaware of any eyewitness to the subject accident, other than what may be in the possession of other parties.

Defendant has not yet identified, designated or retained any experts to testify at trial. When such experts are known, appropriate disclosures will be made in accordance with the Federal Rules of Civil Procedure and said opinions will be relied on in the defense of this case.

2. Discoverable Documents which may used to support its claims or defenses:

- A. Annexed as Exhibit "A" is a copy of the C-3 report for the subject accident.
- B. Annexed as Exhibit "B" is a color photograph of plaintiff.
- C. Annexed as Exhibit "C" is a statement made by Engles Vitiello.
- D. Annexed as Exhibit "D" are copies of screen shot texts
- E. Annexed as Exhibit "E" is a copy of Affidavit of Erika Szente.
- F. Annexed as Exhibit "F" is a police notice.
- G. Annexed as Exhibit "G" is a copy of AR Woodworks Statement by Adam Szabo.
- H. Annexed as Exhibit "H" is a copy of Workers Compensation Application for Board Review.
- I. Annexed as Exhibit "I" is a copy of telephone messaging.
- J. Any and all medical records as well as diagnostic tests prepared in connection with plaintiff's medical treatment for injuries sustained in the subject accident.
- K. Any and all casualty insurance policies covering the date of the loss including all additional insured endorsements.
- L. Any and all documents exchanged by the other parties to this lawsuit.
- M. Any and all opinions made by defendants' IME doctors.

- 1. Computation of Damages. Not applicable to this defendant.


3. **Insurance Coverage.** On the date of the subject loss, this defendant was provided insurance coverage by with a general liability policy limit of \$1,000,000 per occurrence/aggregate, policy number 680-8E772703 with The Travelers Casualty Insurance Company of America.

**PLEASE TAKE FURTHER NOTICE** that the Defendant reserves the right to supplement and/or amend this disclosure, if or when additional or different information becomes available, up to and including the time of trial, pursuant to the appropriate Rules of the Court.

Dated: New York, New York  
December 23, 2019

Yours, etc.

**Law Office Of**  
**JAMES J. TOOMEY**



By: FREDERICK D. SCHMIDT JR. (FDS-8821)

Attorneys for Defendant(s)

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FASHIONS, LLC d/b/a/BEACON INTERIORS

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